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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,976	05/10/2001	Osamu Ichiyoshi	WN-2356	4105

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EXAMINER

BATES, KEVIN T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/851,976

Applicant(s)

ICHIYOSHI, OSAMU

Examiner

Kevin Bates

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1,3-5,7-13,16 and 18-21.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER


11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Regarding claim 1, the applicant argues that the reference, Teng, does not disclose broadcasting the comments of a speaker, the video server is not connected directly to a transceiver, and that the conference is not mediated by a chairperson. The examiner disagrees, the reference, Teng, discloses that the system can broadcast live video from a speaker in the system, this live video is a speaker's comments. Also the reference Teng discloses that the video server connects to the transceiver through a LAN, but a LAN can represent many forms of connection, direct connections or through many routers and switches. The reference also discloses that someone is in charge of system at a moment in time, a chairperson in a way, that chairperson has the authority to give the a client the access to speak, while the chairperson position may alter through the process of the system, it does not stop the disclosure of the chairperson at one moment in time authorizing the next speaker.

Regarding claim 16, the applicant argues that the references, Teng in view of Lalwaney, does not disclose a receiving terminal with a receiving only function. The examiner disagrees, the limitation "a receiving terminal including only a receiving function to said communication satellite" is taught by the reference, Lalwaney in the combination with Teng, seen in Column 2, lines 42 - 47, that some satellite connections are only capable to receive communications from the satellite network, and how to handle that using a separate network connection to handle upstream connection. The combination discloses a receiver only connection from the satellite, and another connection from a separate network.

Regarding claim 18, the applicant argues that the combination would not disclose a voice request signal of a participant having a receiving and transmitting terminal and a comment signal from a participant to whom a voice is granted via ground communication network. The examiner disagrees, in the combination of Teng and Lalwaney, if there is a one way communication involving the satellite receiving device, then upstream communication would come from the ground network, as disclosed in Lalwaney, so comment signals and video feed from the client with the one-way communication would have to come from the ground network, since they are upstream communication types.

Regarding claim 19, the applicant argues that the reference Aziz is irrelevant to the claimed invention since it involves encrypted information meant for teach away from the claimed invention because of the central control. The examiner disagrees, the reference Aziz, discloses being able to broadcast cypher keys from one or more seed servers (Column 3, lines 55 - 60) while it discloses being capable of working in a distributed server fashion, it also has an embodiment that functions with one centralized server.


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